



IFW

PATENT  
Customer Number 22,852  
Attorney Docket No. 08940.0038

In re Application of:

Ernestine LEE et al.

Application No.: 10/591,451

Filed: September 1, 2006

National Stage of International Application No.  
PCT/US2005/006473 under 35 U.S.C. 371, for  
HUMAN cDNA CLONES COMPRISING  
POLYNUCLEOTIDES ENCODING  
POLYPEPTIDES AND METHODS OF THEIR  
USE

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

MAIL STOP PCT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL OF POWER OF ATTORNEY BY ASSIGNEE**

Attached is a Power of Attorney by Assignee for filing in the U.S. Patent and Trademark Office in the above-identified patent application. Also attached is a copy of the original assignment.

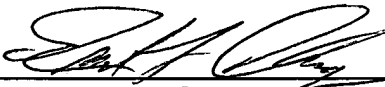
If there are any fees due in connection with the filing of this Power of Attorney by Assignee, the Commissioner is hereby authorized to charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 2, 2007

By:   
Ernest F. Chapman  
Reg. No. 25,961

EFC/FPD/sci



PATENT

**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

The undersigned hereby grants the power of attorney set forth below with respect to the application identified in the statement under 37 C.F.R. § 3.73(b), which will be attached hereto.

I hereby grant power of attorney to FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P. Customer Number 22,852, as attorneys or agents to represent the undersigned before the United States Patent and Trademark Office in connection with any and all patent applications assigned only to Five Prime Therapeutics, Inc., according to the USPTO assignment records or assignment documents, which will be attached to this form in accordance with 37 C.F.R. § 3.73(b).

Please also send all future correspondence concerning the application identified in the statement under 37 C.F.R. § 3.73(b), which will be attached hereto, to Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., Customer Number 22,852.

The undersigned understands that a copy of this form, together with a statement under 37 C.F.R. § 3.73(b) is required to be filed in each application in which this form is used. The statement under 37 C.F.R. § 3.73(b) may be completed by one of the practitioners appointed in this form to be authorized to act on behalf of the assignee, and must identify the application in which the Power of Attorney is to be filed.

The individuals whose signature and title is supplied below are each authorized to act on behalf of the assignee.

Name: Amy L. Tsui Collins

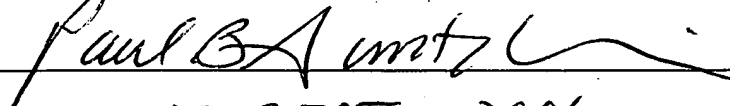
Title: Vice President, Intellectual Property, Five Prime Therapeutics, Inc.

Signature: 

Date: 9/28/2006

Name: Paul B. Simboli

Title: Patent Counsel, Five Prime Therapeutics, Inc.

Signature: 

Date: 28 SEPT 2006

**ASSIGNMENT**

WHEREAS We, the below named inventors, [hereinafter referred to as Assignors], have made an invention entitled:

**HUMAN cDNA CLONES COMPRISING POLYNUCLEOTIDES  
ENCODING POLYPEPTIDES AND METHODS OF THEIR USE**

for which We filed a United States Letters Patent on September 1, 2006 and amended on September 1, 2006; and which has been assigned application number 10/591,451; and

WHEREAS, Five Prime Therapeutics, Inc., a corporation of California whose post office address is 1650 Owens Street, Suite 200, San Francisco, CA 94158 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention, the application for United States Letters Patent on this invention, and the Letters Patent to be issued on this application;

NOW THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration the receipt of which from Assignee is hereby acknowledged, We, as Assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, our entire right, title, and interest in and to this invention; U.S. National Stage Application Serial No. 10/591,451, filed September 1, 2006, and all U.S. applications and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of the above U.S. National Stage application, as well as all rights to claim priority on the basis of this application, and all applications for Letters Patent which may hereafter be filed for this invention, and all extensions, renewals, and reissues thereof; and We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, WE HEREBY covenant that We have the full right to convey the interest assigned by this Assignment, and We have not executed and will not execute any agreement in conflict with this Assignment;

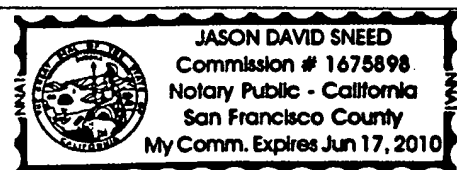
AND, WE HEREBY further covenant and agree that We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths, and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, We have hereunto set our hands.

County of <u>SAN FRANCISCO</u> )	Name: <u>Ernestine LEE</u>
) ss. Address: <u>226 Arlington Avenue</u>	
)	<u>Kensington, CA 94707</u>
State of <u>CALIFORNIA</u> )	By: <u>Ernestine Lee</u>
	Date: <u>Sept 29 2006</u>

Subscribed and sworn to before me this 29<sup>th</sup> day of SEPT, 2006

Jason David Sneed  
JASON DAVID SNEED, Notary Public



County of SAN FRANCISCO )  
 )  
 )  
State of CALIFORNIA )

ss. Name: Kevin HESTIR  
Address: 226 Arlington Avenue  
Kensington, CA 94707  
By: [Signature]  
Date: Sept 29, 2006

Subscribed and sworn to before me this 29<sup>th</sup> day of SEPT, 2006

JASON DAVID SNEED, Notary Public

Jason David Sneed



County of \_\_\_\_\_ )  
 )  
 )  
State of \_\_\_\_\_ )

ss. Name: Keting CHU  
Address: 10 Tripp Court  
Woodside, CA 94062  
By: \_\_\_\_\_  
Date: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_, Notary Public

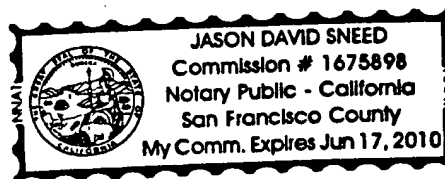
County of SAN FRANCISCO )  
 )  
 )  
State of CALIFORNIA )

ss. Name: Lewis Thomas WILLIAMS  
Address: 125 Chapel Drive  
Mill Valley, CA 94941  
By: [Signature]  
Date: 10/12/06

Subscribed and sworn to before me this 12<sup>th</sup> day of OCT, 2006

JASON DAVID SNEED, Notary Public

Jason David Sneed



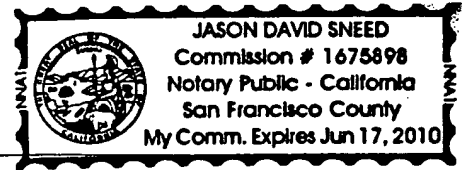
County of SAN FRANCISCO )  
 )  
 )  
State of CALIFORNIA )

Name: Kevin HESTIR  
ss. Address: 226 Arlington Avenue  
Kensington, CA 94707  
By: [Signature]  
Date: Sept 29, 2006

Subscribed and sworn to before me this 29<sup>th</sup> day of SEPT, 2006

JASON DAVID SNEED, Notary Public

Jason David Sneed

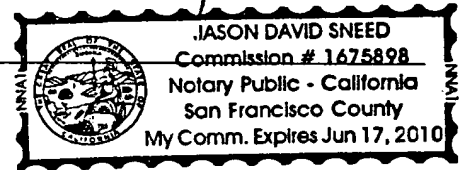


County of SAN MATEO )  
 )  
 )  
State of CALIFORNIA )

Name: Keting CHU  
ss. Address: 10 Tripp Court  
Woodside, CA 94062  
By: [Signature]  
Date: 01-05-07

Subscribed and sworn to before me this 5<sup>th</sup> day of JAN, 2007

Jason David Sneed, Notary Public



County of SAN FRANCISCO )  
 )  
 )  
State of CALIFORNIA )

Name: Lewis Thomas WILLIAMS  
ss. Address: 125 Chapel Drive  
Mill Valley, CA 94941  
By: [Signature]  
Date: 10/12/06

Subscribed and sworn to before me this 12<sup>th</sup> day of OCT, 2006

JASON DAVID SNEED, Notary Public

Jason David Sneed

